

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to Figure 1. This sheet replaces the original sheet including Figure 1. In Figure 1 component labeling and signal flow directions have been updated to be consistent with the specification.

Attachment: One (1) Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Reconsideration of the application is respectfully requested in view of the amendment to the figures and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

General Considerations

Applicant notes that the remarks and amendment presented herein have been made merely to clarify the claimed embodiments from elements purported by the Office Action to be taught by the cited reference. Such remarks should not be construed as acquiescence, on the part of the Applicant, as to the purported teachings or prior art status of the cited references, nor as to the characterization of the cited references advanced in the Office Action. Accordingly, Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

Claim Rejections Under 35 U.S.C. § 112, First Paragraph

The Office Action rejected claims 1-30 under U.S.C § 112, first paragraph as failing to comply with the enablement requirement reciting: "The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make an/or use the invention." In particular, the Office Action objected to purported inconsistencies in the specification and drawings. The Office Action included 8 instances (labeled a-h) where the drawings purportedly were inconsistent with the specification, all of which related to errors in Figure 1 where signal flow was inadvertently reversed. Figure 1 has been amended herein to rectify cited inconsistencies (a) through (h). The other two issues cited by Examiner are discussed below.

Office Action, Paragraph 3.i, pg. 6

The Office Action asserts that two sentences in the paragraph starting at page 25, line 4, in the application contradict one another. The Office Action purports that one sentence in the paragraph indicates that two circuits are charging while the following sentence indicates that one circuit charges while the other discharges. A proper reading this paragraph shows that the sentences cited in the Office Action are consistent.

The cited passages are from the middle of paragraph [0055] where a possible interdependence between the interrelated control signals is disclosed. Page 24 line 30. The paragraph teaches that the “interrelated control signals ... may depend upon one another to transition...,” meaning that in order for one control signal to charge, a corresponding control signal may be required to discharge. Page 24 lines 30-32. This interdependence is described in the specification in the following sentence: “For example, phase control circuit 510 may receive a charge signal and phase control circuit 530 may receive a discharge signal at substantially the same time so charge circuitry 512 of phase control circuit 510 may be adding charge to store charge circuitry 516 to increase the amplitude of the interrelated control signal 525 and discharge circuitry may discharge the charge stored in charge storage circuitry 536 at substantially equivalent rate of discharge as charge storage circuitry 516 accepts the charge from the charge circuitry 512.” Page 24 line 32 to page 25 line 4. This passage teaches that the rate at which one circuit charges is substantially equivalent to the rate at which the other circuit discharges. Thus, the passage cited by examiner relating to the “ramping amplitudes” refers not to whether a circuit is charging or discharging, but to the rate at which the charge circuitry charges, or moves up the “amplitude ramp.” and discharge circuitry discharges, or moves down the “amplitude ramp.” This is consistent with the following sentence: “In particular, charge storage circuitry 516 may have an initial charge at a low amplitude boundary and may rise to a high amplitude boundary at substantially the same rate that the charge level on charge storage circuitry 536 decreases from a high amplitude boundary to a low amplitude boundary.” Thus, as the charge on one control signal moves up the “amplitude ramp” the other moves down the “amplitude ramp” and, although the slope of both ramps is substantially equivalent, one circuit is charging while the other is discharging.

Office Action, Paragraph 3.j, pg. 7

The Office Action objects to Figure 6 and its associated description starting on page 7, line 7 of the application, because the inputs and outputs of Figure 6 cannot be properly mapped back into Figure 5. The Office Action has misconstrued the specification. Figure 6 is intended to show an “example embodiment” of common mode control circuitry and is not the same circuitry of Figure 5. Page 27, lines 7-8. As such, Figure 6 has not been amended.

Applicants assert that the amendments to Figure 1 and the clarification of the Application provided herein have traversed rejection under 35 U.S.C. § 112, first paragraph. As such, Applicant respectfully requests that the rejection of claims 1-30 under 35 U.S.C. § 112, first paragraph be withdrawn.

CONCLUSION

In view of the foregoing, Applicants assert the claims are in allowable form. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner’s Amendment, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: _____

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ANNOTATED MARKED-UP DRAWINGS
42390P12279
VOLTAGE CONTROLLER FOR A HIGHLY LINEAR PHASE
INTERPOLATOR
ROBERT C. GLENN, et al.

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FIGURE 1

